

* E-filed 11/5/07 *

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

3M COMPANY,

Plaintiff,

v.

MAURICE KANBAR, MK ENTERPRISES,
INC., ROLLIT, LLC, AND REX PRODUCTS,
INC.,

Defendants.

Case No. CV 06-01225 JW (HRL)

**ORDER TO SHOW CAUSE WHY
DOCUMENTS SHOULD NOT BE MADE
PART OF THE PUBLIC RECORD**

Re: Docket No. 304

Civil Local Rule 79-5 states that "a sealing order may issue only upon a request that establishes that the document, or portions thereof, is privileged or protectable as a trade secret or otherwise entitled to protection under the law." Rule 79-5 further states that "a stipulation, or a blanket protective order that allows a party to designate documents as sealable, will not suffice to allow the filing of documents under seal." (emphasis added)

Plaintiff moved and the parties stipulated to having portions of Docket Number 300 (pages 1, 6, 7, and 9-16) and of Docket Number 301 (Exhibits 1, 9, 15, and 16) filed under seal. Plaintiff declared that those portions should be filed under seal because they were designated by Plaintiff as confidential. This is insufficient under Rule 79-5.

1 Plaintiff is directed to submit by **November 9, 2007** either 1) the requisite declarations
2 showing why the documents (or portions thereof) should be filed under seal, or 2) a statement of
3 non-opposition to the documents being made part of the public record.

4 If court does not receive the necessary declaration on that date, these documents will be
5 made part of the public record.

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7 **IT IS SO ORDERED.**

8 Dated: 11/5/07

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HOWARD J. LLOYD
UNITED STATES MAGISTRATE JUDGE

THIS SHALL CERTIFY THAT A COPY OF THIS ORDER WILL BE SENT TO:

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* Counsel are responsible for providing copies of this order to co-counsel.

Dated: 11/5/2007

/s/ KRO

Chambers of Magistrate Judge Lloyd